



# CITY OF SACRAMENTO

## OFFICE OF THE CITY CLERK

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LORRAINE MAGANA  
CITY CLERK

CITY MANAGER'S OFFICE  
**RECEIVED**  
MAY 9 1983

May 6, 1983

Mayor and City Council  
City Hall  
Sacramento, CA 95814

Members in Session:

**SUBJECT:** Appeal of Mark R. Buffington III from the decision of the Chief Animal Control Officer

### SUMMARY

Attached is the appeal of Mark R. Buffington III from the decision of the Chief Animal Control Officer, as required by Section 6.101 of the Sacramento City Code.

### BACKGROUND

Under Sections 2.323 and 2.324 of the City Code, the Council may appoint a hearing examiner to hear the appeal if it finds that "the appeal may involve a lengthy factfinding process which would be more appropriately accommodated by a formal hearing before a hearing examiner."

### FINANCIAL DATA

The estimated cost would be \$100.00 and would be available from the Animal Control Office budget.

### RECOMMENDATIONS

1. If the Council should decide to appoint a hearing examiner, it is recommended that the following motion be adopted: "The Council hereby determines pursuant to Section 2.324, City

**APPROVED**  
BY THE CITY COUNCIL

MAY 10 1983

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*Hearing Examiner appointed*

City Council  
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Code, that this appeal will involve a lengthy factfinding process which will be more appropriately accommodated by a formal hearing before a hearing examiner". Therefore, the Council appoints Barry Martin as Hearing Examiner to hear the appeal on May 24, 1983 at the hour of 9:00 a.m. at McGeorge School of Law, 3287 Fifth Avenue, Sacramento, California.

2. If the Council should decide to consider the appeal itself, it is recommended that the hearing be set for May 17, 1983.

Respectfully submitted,

  
Lorraine Magana  
City Clerk

LM/jmb  
Attachment

cc: Animal Control

RECOMMENDATION APPROVED:

  
Walter J. Slive  
City Manager

May 10, 1983  
All Districts

NOTICE OF APPEAL

MAY 2 9 51 AM '83

DATE: 5/2/83

Pursuant to Section 2.320, City Code, I wish to appeal the decision

Tom Hoover (Chief Animal Control) made on April 27th  
regarding CONDOR, A MALE GERMAN SHEPHERD  
BEING HELD AT THE CITY ANIMAL CONTROL,  
AFTER BEING DEEMED A VICIOUS ANIMAL.

as required by SBC. 6.101., City Code.

My reason for appealing is as follows: I, MARK BUFFINGTON,  
OWNER OF THE GERMAN SHEPHERD HAVE TRIED  
VERBALLY TO EXPLAIN, WITHOUT SUCCESS, THAT  
MY DOG COULD NOT HAVE CAUSED ANY DOG  
BITES AND TO THIS DAY HAVE NOT SEEN ANY  
MEDICAL REPORTS TO SUBSTANTIATE THE  
CHARGES.

\*\*\*\*\*  
PLEASE PRINT:

NAME: MARK ROBERT BUFFINGTON III  
ADDRESS: 4014 COLONIAL WAY  
CITY: SACTO. STATE: CA. ZIP CODE: 95817  
TELEPHONE NUMBER: 455-3487

Mark Buffington  
SIGNATURE